

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|----------------------------|---|-----------------------|
| LAURIE A. CHERRY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. CIV-09-419-M |
| |) | |
| MICHAEL J. ASTRUE, |) | |
| Commissioner of the Social |) | |
| Security Administration, |) | |
| |) | |
| Defendant. |) | |

ORDER

On May 17, 2010, United States Magistrate Judge Shon T. Erwin issued a Findings & Recommendation of Magistrate in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) denying disability insurance benefits and supplemental security income benefits. The Magistrate Judge recommended the Commissioner’s decision be reversed and remanded for further administrative proceedings. The parties were advised of their right to object to the Report and Recommendation by June 6, 2010. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on May 17, 2010; and
- (2) REVERSES the decision of the Commissioner and REMANDS for further administrative proceedings consistent with the Findings & Recommendation of Magistrate Judge.

IT IS SO ORDERED this 18th day of June, 2010.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE